



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

September 9, 2008

CERTIFIED MAIL 7003 1680 0007 1588 2673

Mr. Mark J. Brown
Teck Cominco WA Inc.
Pend Oreille Mine
PO Box 7
Metaline Falls, WA 99153

Re: Ground Water Permit No. G3-30312P

Dear Mr. Brown:

In response to your request, you are hereby granted an extension to put the water to full beneficial use for the reason below:

Lower than anticipated staffing levels have resulted in reduced water consumption. It is expected that as the mine approaches predicted staffing levels in 2008, water consumption will increase significantly. The Pend Oreille mine would like an extension until full operational capacity is achieved, thereby providing a more accurate measurement of water use. The new deadline to submit your *Proof of Appropriation* is **July 1, 2009**.

You have a right to appeal this Order. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the “date of receipt” of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the “date of receipt” of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). “Date of receipt” is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey, WA 98503



2. To serve your appeal on the Department of Ecology

Mail appeal to:

The Department of Ecology
Appeals & Application for Relief
Coordinator
PO Box 47608
Olympia, WA 98504-7608

Deliver your appeal in person to:

OR The Department of Ecology
Appeals & Application for Relief Coordinator
300 Desmond Dr SE
Lacey, WA 98503

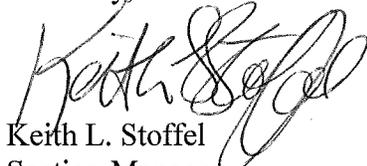
3. And send a copy of your appeal to:

Keith L. Stoffel
Department of Ecology
Eastern Regional Office
4601 North Monroe Street
Spokane, WA 99205

*For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State Legislature
Website: <http://www1.leg.wa.gov/CodeReviser> .*

If you have any questions, please contact Gene Drury at 509 329-3566.

Sincerely,



Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS:GD:ka

Enclosures: *Proof of Appropriation
Your Right to Be Heard*

I certify that I mailed this letter or an identical copy thereof, postage prepaid, to the above addressee(s) this 15th day of September, 2008.

Water Resources Program, Secretary Lead, Kay Allhiser KA.